

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO NEVAREZ-CARREON,

Defendant.

8:14CR324

**MEMORANDUM
AND ORDER**

This matter is before the Court on Defendant Fernando Nevarez-Carreón's ("Nevarez-Carreón") Motion for Reconsideration and Judicial Notice (Filing No. 139). The motion requests that the Court reconsider its previous Memorandum and Order (Filing No. 138) that denied his motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A), as amended by the First Step Act of 2018 ("First Step Act"), Pub. L. No. 115-391, 132 Stat. 5194 (2018).

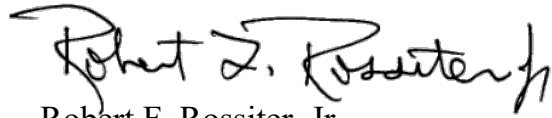
This is Nevarez-Carreón's third attempt to persuade the Court that he should be granted compassionate release. Despite raising several objections to the Court's most recent Memorandum and Order (Filing No. 138), Nevarez-Carreón presents no evidence or argument that the Court has not previously considered.

When considering a motion for compassionate release, the Court must consider the relevant factors identified in 18 U.S.C. § 3553(a). In considering these factors in each of the previous motions, the Court concluded that Nevarez-Carreón's criminal history and the nature of his sentence weighed against compassionate release. Nothing has changed. The Court once again adopts its previous reasoning and finds that the balance of the relevant § 3553(a) factors and surrounding circumstances weigh against release. Accordingly, Nevarez-Carreón's motion to reconsider (Filing No. 138) is denied.

IT IS SO ORDERED.

Dated this 26th day of March 2021.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
United States District Judge